

# Bureau of Indian Affairs Welfare Assistance Funding Distribution Methodology



WEBINAR PRESENTATION  
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# Learning Objectives



- Background the Welfare Assistance program & the Methodology
- How the FASSR is used to calculate “Estimated Need” and “Actual Need” for each Tribal and BIA agency program;
- Discuss the annual statutory cap that is placed on Welfare Assistance funding in the appropriations language; and,
- Discuss the pro rata distribution and how it impacts funding for the Tribes and Agencies.
- Discuss what options the Tribes and BIA agencies have in addressing potential shortfalls in Welfare Assistance funding.

# BIA Welfare Assistance Program



## **Welfare Assistance = Financial Assistance and Social Services**

- In the Budget its called: Welfare Assistance (Greenbook/Appropriations Bill)
  - AoH91 – Functional Area for Welfare Assistance
- In the Regulations its called: Financial Assistance and Social Services Programs (25 CFR Part 20) & refers to both financial and non-financial services

## **WELFARE ASSISTANCE IS A SAFETY NET PROGRAM:**

- It is only used when comparable financial assistance or social services are either not available or not provided by state, tribal, county, local or other federal agencies
- It is a secondary or residual resource, and **MUST NOT** be used to supplement or supplant other programs
- It is **subject to annual appropriations by Congress**

## **WHAT DOES THIS MEAN?**

- It's a critical program to Indian Country.
- It serves the most needy in Indian Country. It is the final program that many American Indian and Alaska Natives (AI/AN) can turn to for assistance.

# BIA Welfare Assistance Program



## **Includes Financial Assistance Components**

- General Assistance, Adult Care Assistance and Child Assistance are the primary forms of financial assistance, which are available when not provided by other federal, state, local or tribal sources, or where the individual is not eligible for those services.
- Burial assistance and emergency assistance are available in accordance with regulations as one-time funding sources.

## **Includes Non-Financial Assistance Components - Services to Children, Elderly, and Families**

- Child Protection and Adult Protection (depends on jurisdiction & tribal or state codes)/ Child Welfare
- Social Services to children, elderly and families; assist in daily functioning, address problems, provide referrals & prevent placement.
- Supervised Individual Indian Money (IIM) accounts - protects individual Indians (with special needs) financial resources



**Take Away: Your Tribe may or may not operate all these programs**

# BIA Welfare Assistance Rates



IA welfare financial assistance categories are funded each year at rates established by the Assistant Secretary – Indian Affairs (AS-IA) or the state.

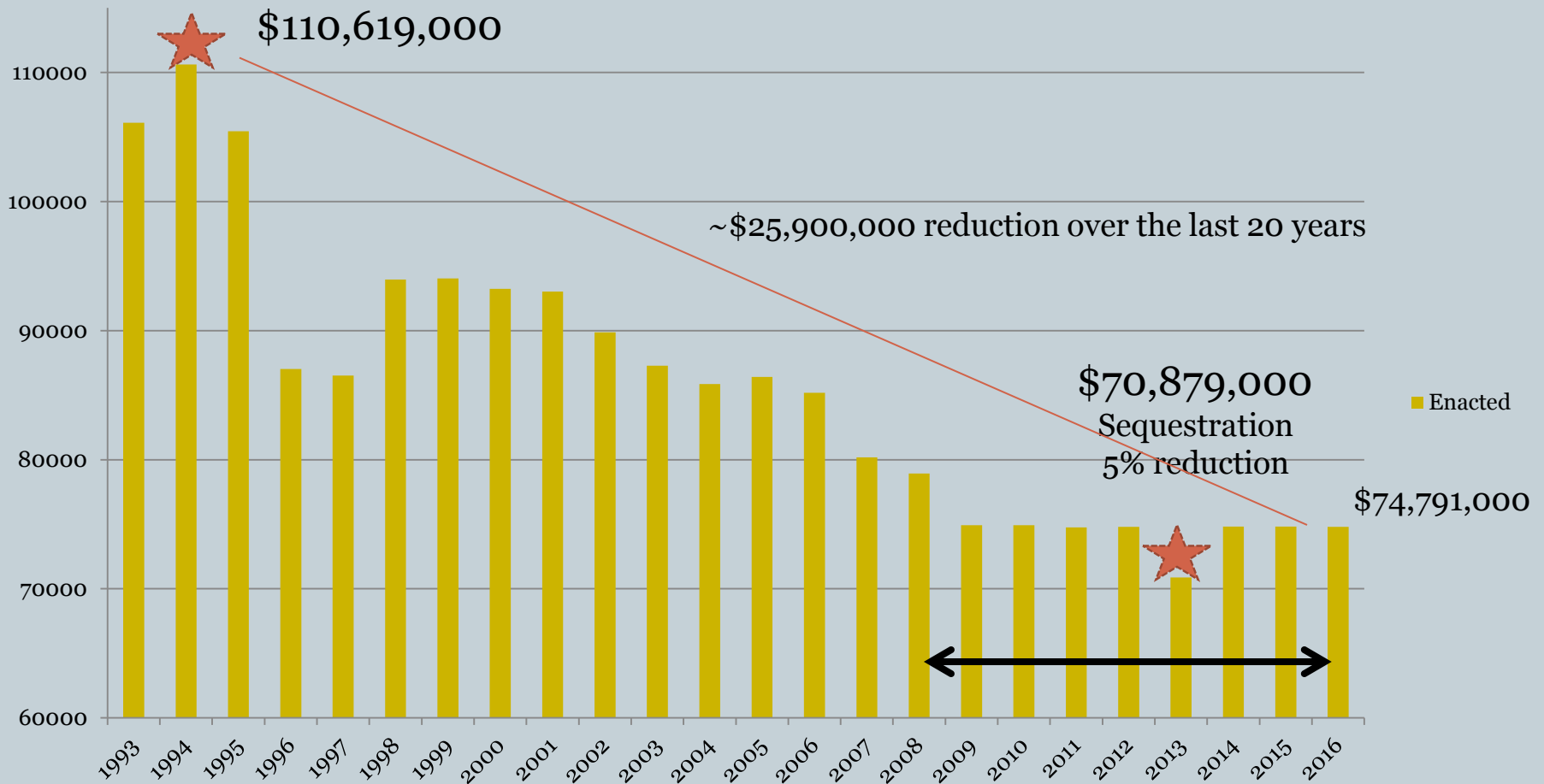
These are the current rates and are subject to change:

- Child Assistance (state rate);
- General Assistance (state TANF rate);
- Adult Care Assistance (state rate);
- Burial Assistance rate (a maximum of \$2,500 per burial);
- Emergency Assistance (a maximum of \$1,000 per household); and
- Disaster Assistance and the Tribal Work Experience Program are no longer funded, and welfare assistance funds cannot be used for these purposes.

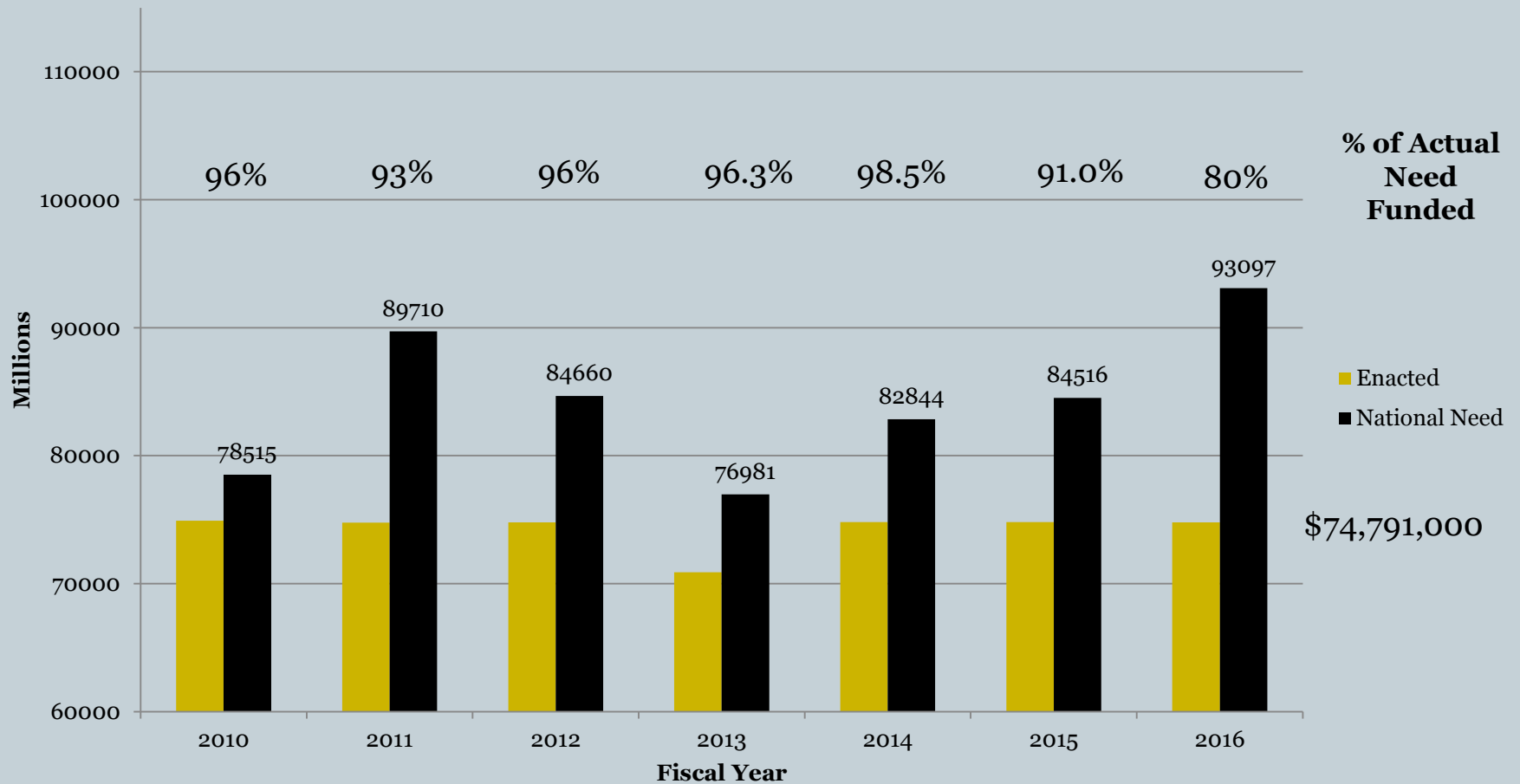


This information can be found in the 70 IAM 3 Section 1.7

# Enacted: Historical Funding Levels



# Enacted vs. Actual National Need



# What are the FASSRs showing us?



- **Increase in Need for Child Assistance**
  - Tribes are using trauma informed screening tools & services. This is resulting in earlier identification and better screening of children in CPS/CW cases → resulting in children be placed in out-of-home care who need higher level of care due to exposure to traumatic experiences
  - Level I & Level II Care – Residential Treatment
- **Increase in Need for Burial Assistance**
- **Increase in Need for GA – families exhausting TANF benefits**
  - Working on a Consolidated Report to make available to the Tribes and Agencies based on the FASSRs



# Overview of the Methodology



- The methodology is used nationally.
  - The BIA distributes welfare assistance funding each year to Tribes and BIA Agencies based on the approved methodology.
  - Approximately 270 Tribal and Agency programs
  - Outlines the information the BIA uses in order to determine funding levels
  - A method for distributing funds that treats all Tribes and Agencies fairly & equitably;
  - To facilitate a fair and equitable treatment of potential recipients of welfare assistance funds;
  - To address shortfalls in funding; and,
  - To avoid the shutdown of one or more welfare assistance programs.
- Funds must be awarded in accordance with a Tribe's self-determination contract or self-governance funding agreement.
- Outlined in Part 70, Chapter 3 of the Indian Affairs Manual (70 IAM 3) - <https://www.bia.gov/cs/groups/webteam/documents/document/idc2-055217.pdf>

# BIA, Financial Assistance and Social Services Report



## **The FASSR is:**

- Required for the welfare assistance program;
- Is used to determine the amount of welfare assistance funding to distribute to Tribes and BIA agencies each FY/Calendar Year (CY); and,
- It is also used to prepare and submit a Request for Additional Funds (RAF).
- It is used to calculate Estimated Need & Actual Need & carryover adjustments

## **Take Away:**

- The FASSR is the REPORT the BIA uses to determine how much funding each Tribe and BIA agency will receive each Fiscal Year
- It is imperative the Report is 100% correct and reflects the Tribe's Actual - Expenditures; Available Funding; and Carryover/Shortfall

# Why do we use the FASSRs for the methodology?



- History is our best predictor of future needs
- It's a consistent and standard process for all Tribes and BIA agencies
- It helps to ensure a more fair & equitable process in the distribution of funding
- The data comes from the Tribe and BIA Agency - Actual Data not Projected or Estimated
- Each Tribe and Agency reports its **NEED** which is then the basis for how funding is distributed to the Tribe or Agency
- This process aligns more closely with the policy on Self-Determination and Self-Governance



# A major assumption in the Methodology



- For the current operating year (2017), the Methodology assumes a Tribe or Agency will expend at or below what the Tribe or Agency spent in the previous operating years.
- It means the BIA will only fund a Tribe or Agency in 2017, at the very most what the Tribe or Agency reported for expenditures in the 2016 FASSR.
- This is important to remember as we discuss the concept of **NEED**.
- \*The RAF is the only exception – but the concept still applies



## What is Need?

There are two types of Need we calculate in the Methodology – we use two FASSR Reports

Need – how much funding a Tribe or Agency needs to operate in a given year

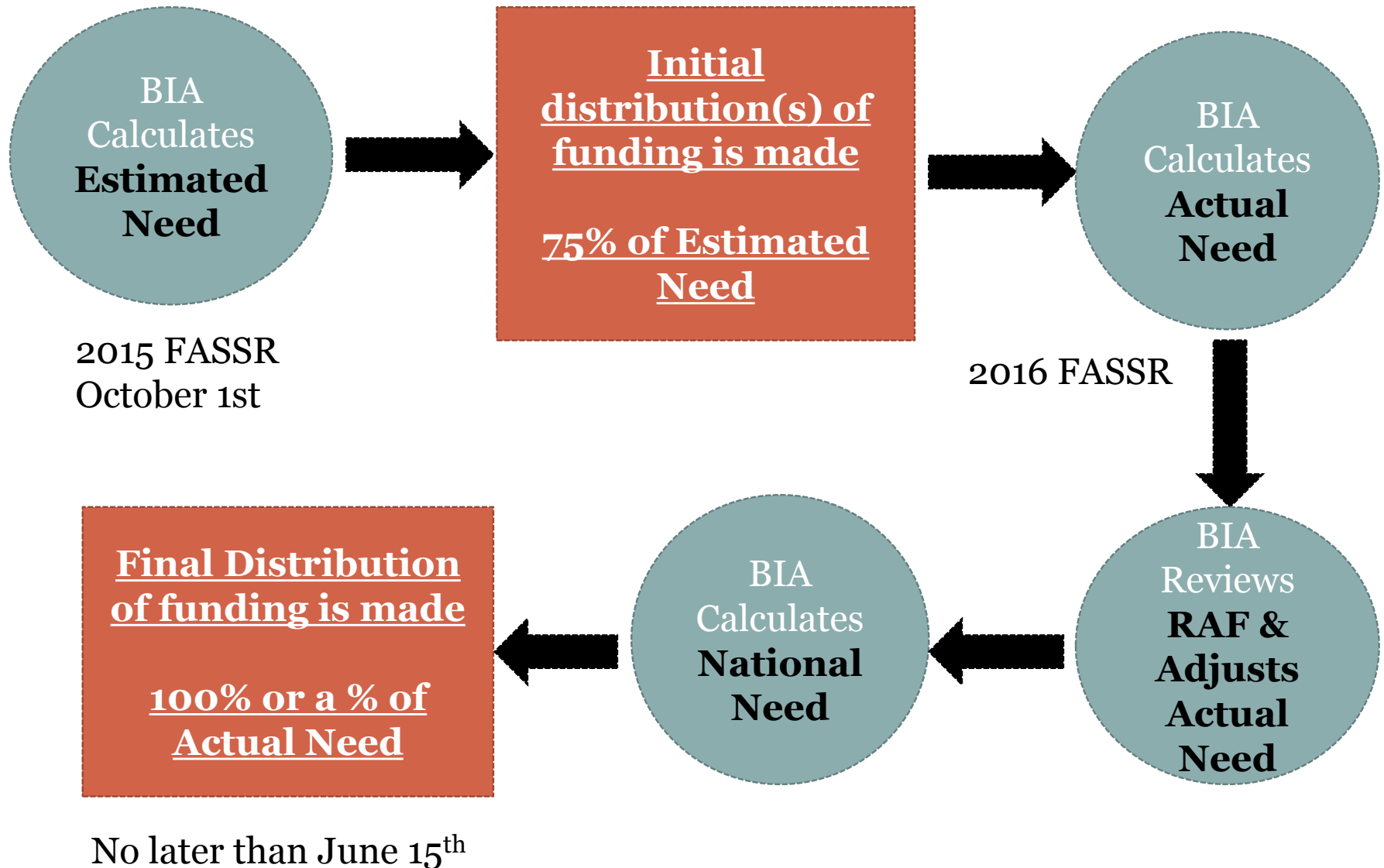
**1. *Estimated Need:*** defined as actual prior year expenditures reported on the FASSR, subject to carryover adjustments and fixed amounts for Tribal Redesign Plans for General Assistance consistent with 25 CFR §20.202 to §20.210.

- Using the FASSR - two years before the current year. For FY 2017 – we use the 2015 FASSR

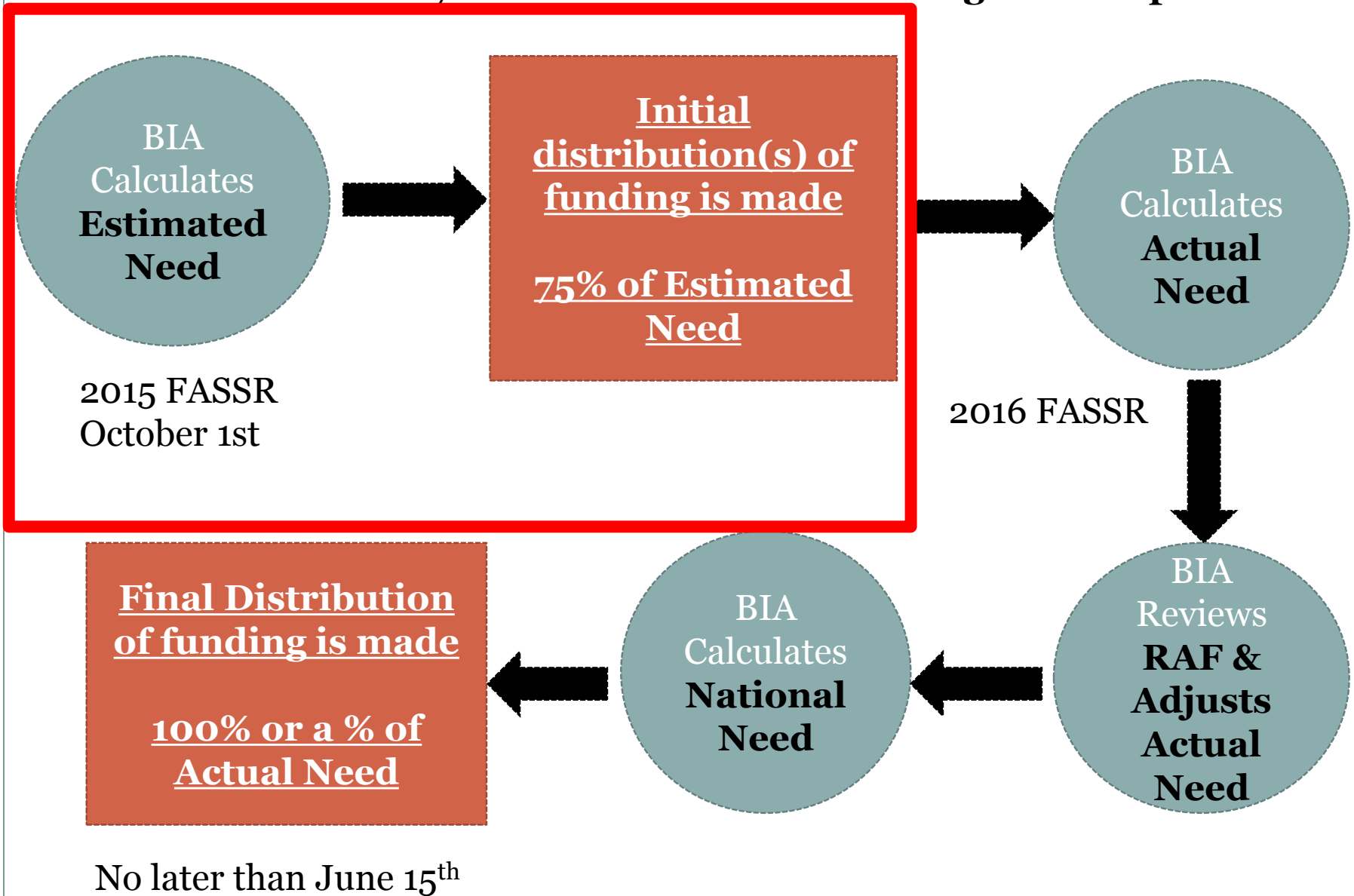
**2. *Actual Need:*** defined as actual prior year expenditures reported on the FASSR, subject to shortfall ***and*** carryover adjustments, and to fixed amounts for Tribal Redesign Plans for General Assistance consistent with 25 CFR §20.202 to §20.210.

- Using the FASSR for last complete year. For FY 2017 – we use the 2016 FASSR.

## 2017 Welfare Assistance Funding Roadmap



## 2017 Welfare Assistance Funding Roadmap



BIA  
Calculates  
**Estimated  
Need**

## 70 IAM 3, Section 1.8



70 IAM 3, Section 1.8(A) states:

“On October 1st, IA uses actual expenditures reported in the end-of-year FASSR for **the last complete year** (which would be two years before the current year), **adjusted for carryover** to calculate the estimated need for each Tribe and BIA agency.”

For **FY 2017**, another way of understanding this is:

“On **October 1, 2016**, the Division of Human Services used the actual expenditures as reported in Column P on the **2015 FASSR**, adjusted for carryover to calculate the 2017 estimated need for each Tribe and BIA Agency.”



# 2015 FASSR



- Submitted by all Tribes and BIA Agencies in FY 2016
- It was the basis for the final distribution in FY 2016
- In FY 2017 (October 1<sup>st</sup>, 2016) - it is the most recent report the BIA has on hand for all Tribes and BIA Agencies
- It IS the basis for calculating “Estimated Need” in 2017
- It IS the basis for the initial distributions in FY 2017 to provide 75% of funding to each Tribe and BIA Agency based the 2017 Estimated Need.
  - Ex: If Estimated Need is calculated at \$100,000 – the Tribe would received \$75,000 in the initial distribution(s) in 2017



**This is important because you can minimally expect to receive 75% of your 2017 Estimated Need, contingent upon appropriations.**

## Follow Along in the Next Couple of Slides

- Find & open YOUR certified 2015 FASSR Report
- Do you know how much funding you received in FY/CY 2016? – Get that amount out as well
- Look at Column P – Expenditures – 2015 FASSR
- Look at Column R – Surplus or Shortfall – 2015 FASSR

2015 BIA Financial Assistance and Social Services Report (FASSR)												
Tribe A	First Quarter Actual		Second Quarter Actual		Third Quarter Actual		Fourth Quarter Actual		End-of-Year Status			
638	OCT-NOV-DEC		JAN-FEB-MAR		APR-MAY-JUN		JULY-AUG-SEP		N	P	Q	R
A	B	D	E	G	H	J	K	M	N	P	Q	R
Program Component	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Total Actual Persons Served	Expenditures (Sum of All Four Quarters)	Amount Allocated	Surplus or Deficit
	-	-	-	-	-	-	-	-	0	-	-	-
	-	-	-	-	-	-	-	-	0	-	-	-
	-	-	-	-	-	-	-	-	0	-	-	-
	-	-	-	-	-	-	-	-	0	-	-	-
	-	-	-	-	-	-	-	-	0	-	-	-
(Total)	-	-	-	-	-	-	-	-	0	-	-	-
	6	2,650.00	11	3,879.00	12	3,466.00	10	2,590.00	39	12,585.00	14,600.00	2,015.00
	2		7		6		5		20			
	4		4		6		5		19			
y Plan (ISP)	6		2		3		7		18			
	1		1		3		4		9			
d	6		11		5		5		27			
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	6	2,650.00	11	3,879.00	12	3,466.00	10	2,590.00	39	12,585.00	14,600.00	2,015.00

# 2016 Actual Need Met in FY 2016



- The BIA looks at the Total Available Funding the Tribe or Agency had available in **2016** to determine if a Carryover Adjustment is needed in calculating the 2017 Estimated Need

Carryover Adjustment – Look at “Total Available Funding”

- Is **SUM OF:**
  - Total 2016 Allocation + Reported Carryover on 2015 FASSR, Col. R
- Formula for % of Need Met:  $\frac{\text{Available Funding} / 16}{\text{Actual Need (15' Reported Expenditures)}} * 100$
- Percentage of Need Met is Calculated

# Calculation of 2017 Estimated Need



- *A Tribe or Agency's 2017 Estimated Need will be set at one of three levels based on the % of Need the BIA was able to meet in 2016*
- *BIA will provide 75% in funding to each Tribe based on the calculated 2017 Estimated Need*

## 17 Estimated Need

**15 Reported Expenditure Level:** 0-100% of 2016 Actual Need was met in FY 2016.

This is for Tribes or Agencies whose level of funding after the final distribution in FY 2016 was either AT or BELOW 100%.

The Tribe's 2017 Estimated Need will equal the Tribe's 2015 Reported Expenditures on the 2015 FASSR, Column P.

**Less than 15 Reported Expenditure Level:** More than 100% of 2016 Actual Need: 100%-199%:

**Calculation is used!!** This is for Tribes or Agencies whose level of funding at the end of 2016 was greater than 100% but below 200%.

The carryover will be deducted & the Tribe's level of need set a lower amount than the 2015 Expenditure level based on the formula and calculation (Next Slide)

**Zero: 200% or greater:**

This if for Tribes or Agencies whose level of funding was at or greater than 200%.

**Calculation is used!!** The Tribe or Agency's 2017 Estimated Need will be zero. Under the Methodology, when a Tribe has available funding over 200% of their Actual need, the program should have sufficient funding to operate for the full 2017 year without additional distributions.

# Calculation of 2017 Estimated Need

**Actual Need in 2016 is greater than 100%**

**A Carryover Adjustment is made to calculate 2017 Estimated Need**

## **Example: Tribe A – Expended \$12,585 in 2015**

Assumption Tribe A will spend at or below \$12,585 (how we use Prior Year Data to set Estimated Need)

Question: Is a carryover adjustment needed? - Look at “Total Available Funding”

**TOTAL AVAILABLE FUNDING IS THE SUM OF: 2016 Allocation + 2015 Carryover**

- **2016 Allocation is identified by the funds 167A2100DD**
- **If Tribe A’s 2016 Allocation was \$15,000 & Tribe A’s reported carryover was \$2,015**
- **Total Available = \$15,000 + \$2,015 = \$17,015**

**Looking at the numbers you should see that Tribe A had more funding than it needed to operate on in 2016 – Need was \$12,585 – Tribe had \$17,085**

- **To calculate total % available =  $(\$17,015 / \$12,585) * 100$**
- **Total Available = 135%**
- **Tribe A in 2016 had not only enough funding to operate on in 2016, it would also have carryover funding to operate on in 2017.**

# Calculation of 2017 Estimated Need



**Actual Need in 2016 is greater than 100%**  
**A Carryover Adjustment is made to calculate 2017 Estimated Need**

**Example: Tribe A – Expended \$12,585 in 2015**

- **Total Available = 135% - Which is greater than 100%**
- **YES, a Carryover Adjustment is Needed**

## **Calculation for 17 Estimated Need**

**Calculation: (15' Reported Expenditures\*2) – (Total 2016 Available Funding)**

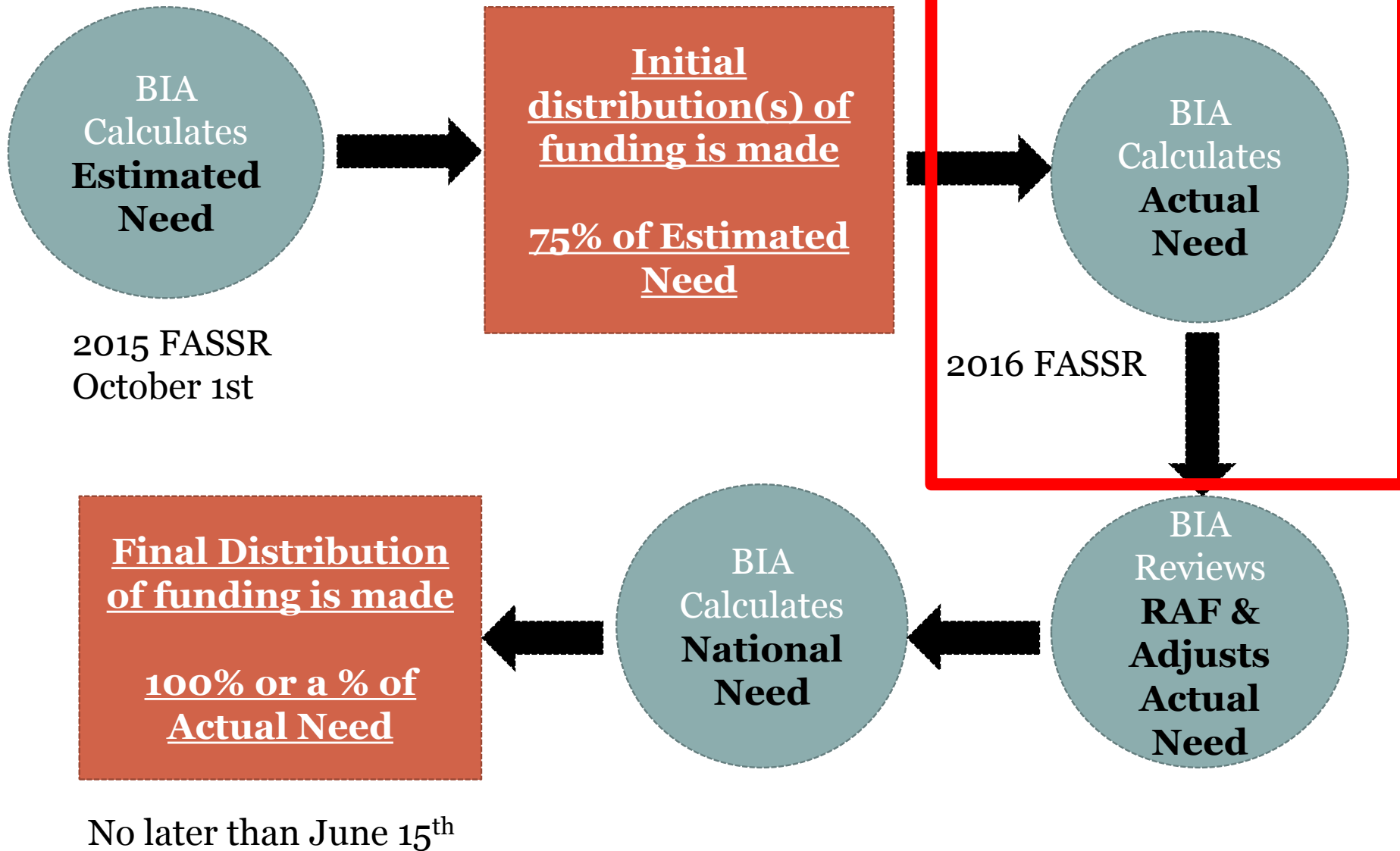
**The Tribe 'carryover' \$4,430 from 16 into 17**

- **Tribe A's 17' Estimated Need =  $(\$12,585 * 2) - \$17,015$**
- **Tribe A's 17' Estimated Need = \$8,155**
- **Initial Distribution(s) =  $(\$8,155 * .75)$**
- **Tribe A's Initial Distribution = \$6,116**

**Initial distribution(s) of  
funding is made**

**75% of Estimated Need**

## 2017 Welfare Assistance Funding Roadmap



BIA  
Calculates  
**Actual  
Need**

## 70 IAM 3, Section 1.8



70 IAM 3, Section 1.8(B) states:

“The final distribution of welfare assistance funds is based on expenditures reported in the FASSR from the previous year. The methodology for the final distribution will use reported ***actual expenditures*** to adjust the estimated need.

For **FY 2017**, another way of understanding this is:

“The Division of Human Services will use the actual expenditures as reported in Column P on the **2016 FASSR** to adjust the 2017 estimated need to the expenditure amount reported on the 2016 FASSR.



# What is “Actual Need”



- Actual Need is defined as... “**actual prior year expenditures** reported on the FASSR, subject to **shortfall *and* carryover adjustments**, and to **fixed amounts for Tribal Redesign Plans for General Assistance** consistent with 25 CFR §20.202 to §20.210.

Language	Meaning
Actual Prior Year Expenditures	ColumnP, 2016 FASSR (the expenditures level the Tribe or Agency reported on the 2016 FASSR)
Shortfall Adjustment	2017 Request for Additional Funds, if applicable
Carryover Adjustment	ColumnR, 2016 FASSR (16 carryover into 17 as reported by the Tribe or Agency on the 2016 FASSR)
Tribal Redesign Plans	If a Tribe operates an approved Tribal Redesign Plan for <b>GA</b> , they will receive 100% of their funding for 2017 based on the fixed amount negotiated.

BIA  
Calculates  
**Actual  
Need**

# 2016 FASSR



- Submitted by all Tribes and BIA Agencies in FY 2017
- It IS the basis for calculating “Actual Need” in 2017
- It IS the basis for the final distribution in FY 2017 to provide either 100% or a % of funding to each Tribe and BIA Agency based the 2017 Actual Need.
- It WILL be the basis for the initial distributions in FY 2018 to provide 75% of funding to each Tribe and BIA Agency based the 2018 Estimated Need
- This report will be used to calculate the FY 2018 Estimated Need.



**We use the 2016 FASSR for both FY 2017 & FY 2018**

# 2016 FASSR

Follow Along in the  
Next Couple of Slides

## EXERCISE

- Find & open YOUR certified 2016 FASSR Report
- Look at Column P – Expenditures – 2016 FASSR
- Look at Column R – Surplus or Shortfall – 2016 FASSR

FY	2016		BIA Financial Assistance and Social Services Report (FASSR)									
	FIRST QUARTER		SECOND QUARTER		THIRD QUARTER		FOURTH QUARTER		END-OF-YEAR STATUS			
	ACTUAL		ACTUAL		ACTUAL		ACTUAL					
	Oct-Nov-Dec		Jan-Feb-March		April-May-June		July-Aug-Sept					
	B	D	E	G	H	J	K	M	N	P	Q	R
	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Actual Persons Served	Expenditures	Total Actual Persons Served	Expenditures Sum of All Four Quarters)	Available Amount/ Amount Allocated	Carryover or Deficit
		-		-		-		-	-	-	-	-
		-		-		-		-	-	-	-	-
		-		-		-		-	-	-	-	-
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	8	3,650.00	11	3,879.00	12	4,150.00	13	4,825.00	44	16,504.00	17,015.00	511.00
	2		7		6		5		20			
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	6		2		3		7		18			
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TOTAL:	8	3,650.00	11	3,879.00	12	4,150.00	13	4,825.00	44	16,504.00	17,015.00	511.00

Actual 2016  
expenditures

Surplus or  
Deficit

# Calculation of 2016 Actual Need

- Actual Need = the reported expenditures on the 2016 FASSR, Column P
- Adjust the Tribe or Agency's '2017 Estimated Need' to '2017 Actual Need':

**Example: Tribe A – 2017 Estimated Need: \$8,155**

**Tribe A – 2016 Reported Expenditures = \$16,504**

**Tribe A's 2017 ACTUAL NEED = \$16,504**

- Add the carryover amount reported in Column R, 2016 FASSR to the 2017 75% distribution amount to calculate the total available funding each Tribe or Agency has available before the final distribution.

**Example: Tribe A – 2016 Surplus (Col. R, 16'FASSR) = \$511**

**Tribe A 17' 75% Allocation = \$6,116**

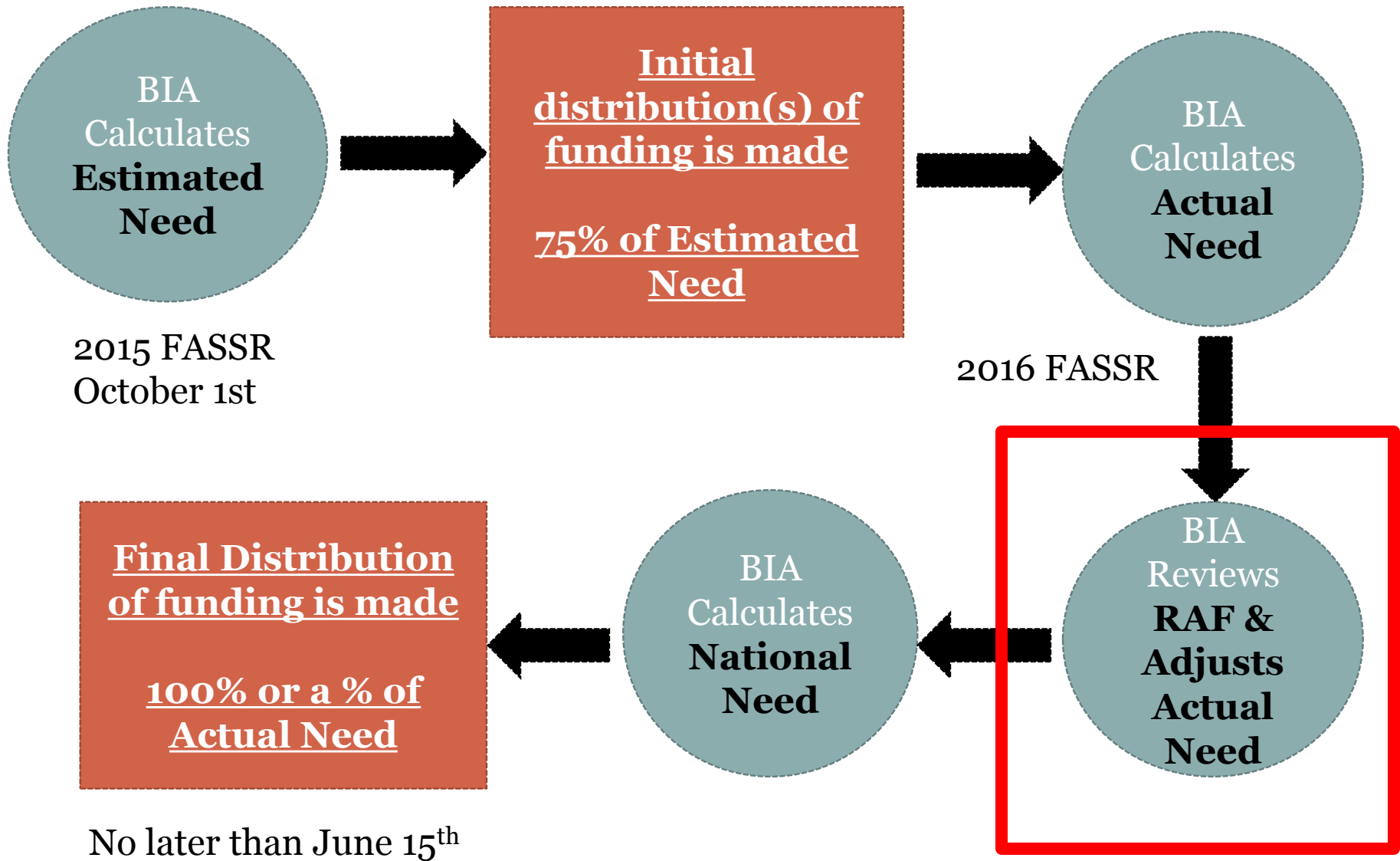
**Tribe A Total Available To-Date: \$6,627**

**Tribe A To-Date % is now: ~40%**

- Final Distribution aims to provide the difference between available funding & the 2016 Actual Need to meet 100% or the highest % possible

**Goal: 17' Actual Need (\$16,504) – Total Available (\$6,627) = \$9,877**

## 2017 Welfare Assistance Funding Roadmap



# Options for a 2017 Shortfall

## Request for Additional Funds

- If a Tribe or Agency projects a potential shortfall in FY 2017
- Must demonstrate how the level of expenditures for the **CURRENT** 2017 funding year is greater than the Tribe or Agency's 2016 reported expenditures
  - ✦ Comparing the 2016 FASSR to the 2017 FASSR
  - ✦ Must describe what would happen if the Tribe or BIA agency were to experience a shortfall in funding for 2017
- Must minimally include four months of ACTUAL data & supported by financial reports or other budgetary documents for the current 2017 operating year.

# Options for a 2017 Shortfall

## Request for Additional Funds

- Must not request additional funds for 2016 shortfall but can describe the impact the shortfall had in 2016 on the Tribe or Agency
- Must be submitted through your Regional, 477-Office or OSG
- Must be submitted to our office by the Regional, 477-Office or OSG via a memorandum in support of the Tribe or Agency's RAF
- Due: **NO LATER THAN MAY 15<sup>th</sup>** to our Office by the Regional Office, 477-Office and OSG.

# Options for a 2017 Shortfall

## Request for Additional Funds

If an RAF is Partially Approved:

- **2017 Actual Need will be adjusted to the expenditure level requested in the RAF on the 2017 FASSR;**
- Is still subject to the pro rata distribution, should the national need exceed the statutory cap.
- Is still subject to carryover adjustments.
- 2017 Actual Need will be funded to the maximum extent possible
- Additional funding is provided as one-time-only, non-recurring funding, based on demonstrated need.
- Additional funding is included in the final distribution of Welfare Assistance, not as a separate distribution.



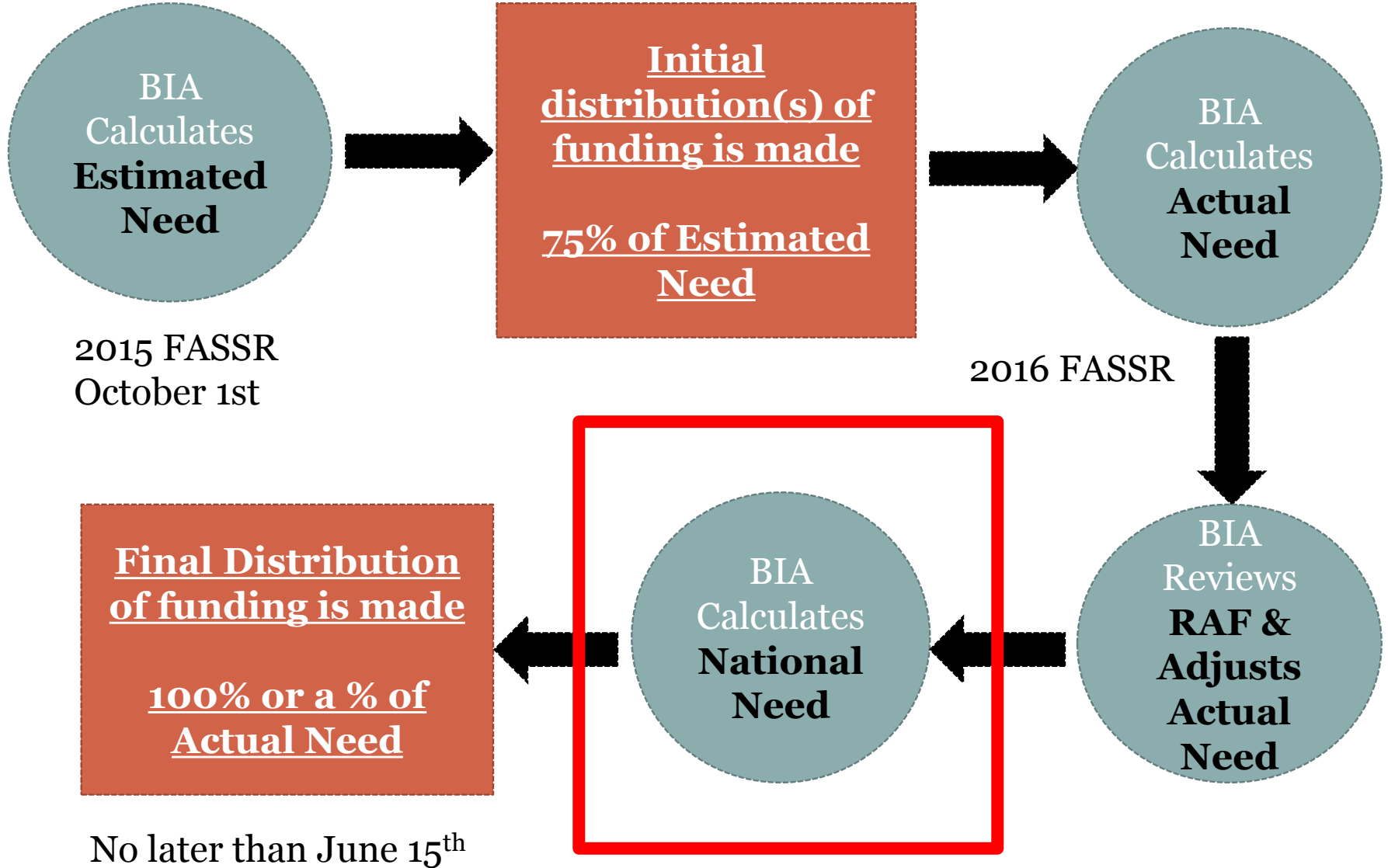
# Options for a 2017 Shortfall

## **Request for Additional Funds**

If an RAF is Denied:

- 2017 Actual Need will be adjusted to the expenditure level reported on the 2016 FASSR.
- Is still subject to the pro rata distribution, should the national need exceed the statutory cap.
- Is still subject to carryover adjustments.
- 2017 Actual Need will be funded to the maximum extent possible
- Funding is provided as one-time-only, non-recurring funding, based on demonstrated need.
- Funding is included in the final distribution of Welfare Assistance, not as a separate distribution.

## 2017 Welfare Assistance Funding Roadmap



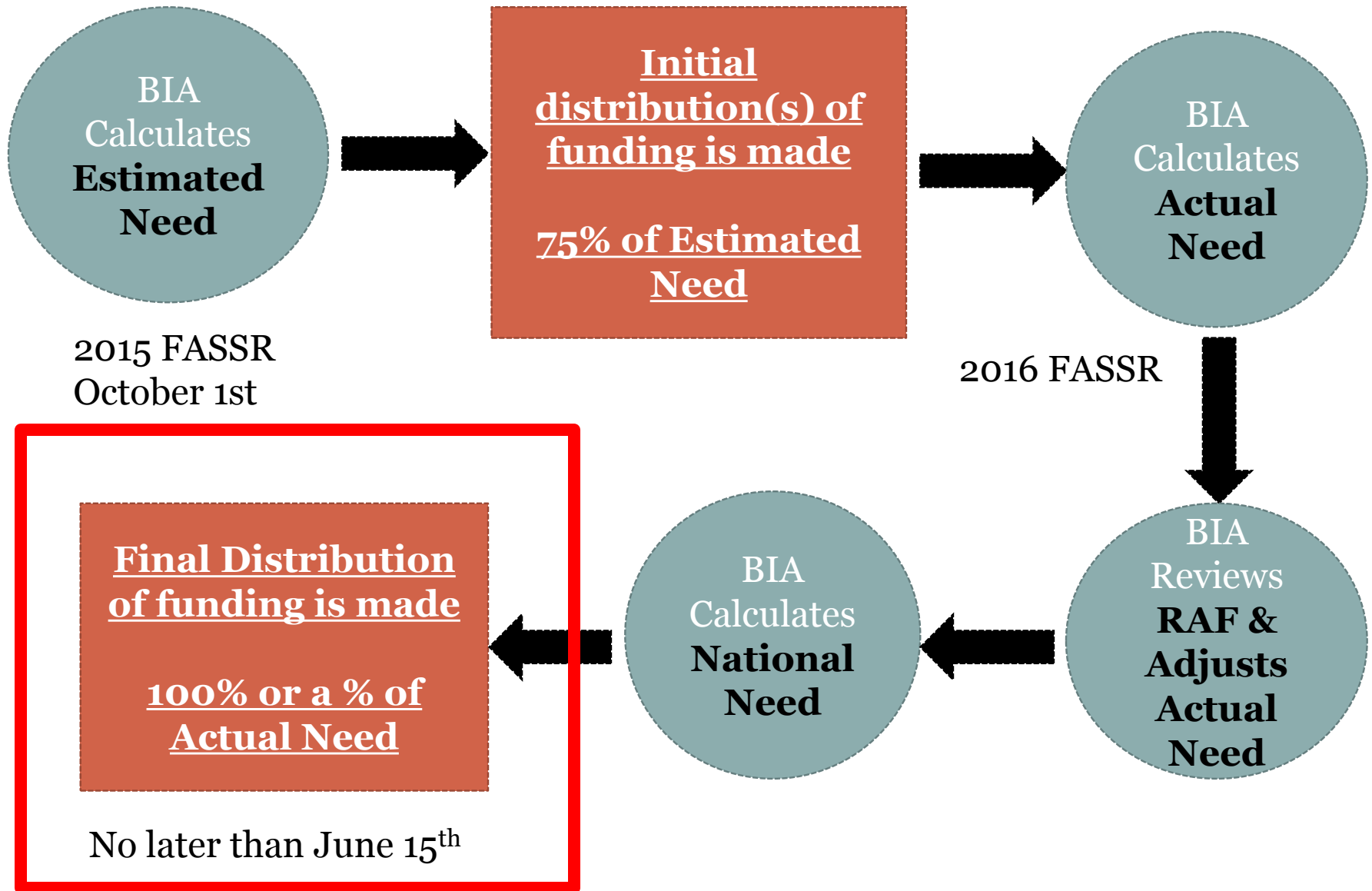
# National Actual Need

- 2017 Actual Need – will either be expenditures on the 2016 FASSR or as requested on 2017 FASSR RAF, if approved
- It's the Sum of all Tribes and BIA agency programs reported expenditures
- The goal is to fund 100% of this amount for every Tribe and Agency

However, the reality is.....

1. Under a Statutory CAP
2. The National Need Exceeds the Enacted Congressional Appropriation

## 2017 Welfare Assistance Funding Roadmap



Final Distribution of  
funding is made

100% or a % of Actual  
Need

# Statutory CAP



1. Outlined in the Appropriations Language & IA Greenbook
  1. For FY 2016 - Consolidated Appropriations Act, 2016, 129 Stat. 2241, 2537 (Dec. 18, 2015)
  2. 2016 Greenbook, page IA-OIP-1
- The appropriations act allows BIA to spend "not to exceed \$74,791,000" for welfare assistance payments for FY 2016 and allows BIA to spend that money "until September 30, 2017."

Final Distribution of  
funding is made

100% or a % of Actual  
Need

# Statutory CAP



1. The BIA cannot exceed the Statutory Cap placed on Welfare Assistance, when distributing funds to tribes and BIA agencies.
2. The Statutory Cap equals the total annual appropriation enacted by Congress for Welfare Assistance (ex: In 2016, the Statutory Cap was \$74.719 million)
3. The Statutory Cap was enacted originally in Fiscal Year 1994 and has been in place each year thereafter.

Final Distribution of  
funding is made

100% or a % of Actual  
Need

# Final Distribution of FY 17 Funding



## **Option #1: BIA provides 100% of Funding**

- If the BIA has enough funding to meet 100% of Actual Need – every Tribe and Agency would receive 100% of their Actual Need in the Final Distribution
- Final Distribution aims to provide the difference between available funding & the 2016 Actual Need to meet 100% or the highest % possible

### **Example:**

**TRIBE A: 17' Actual Need (\$16,504) – Total Available (\$6,627) = \$9,877**

This option unlikely to occur in FY 2017 because of the National Need & level of Congressional Appropriations.

Final Distribution of  
funding is made

100% or a % of Actual  
Need

# Final Distribution of FY 17 Funding



## **Option #2: BIA conducts a Pro Rata Distribution**

Funds are disbursed pro rata based on the final calculated actual need for all Tribes and BIA Agencies & based on the remaining available funding

- After the national 75% distribution, the BIA typically has approximately \$15.0 million available to distribute in the final distribution

### **FY 2016:**

- The appropriation enacted by Congress was \$74.7 million and the calculated actual need for all Tribal and BIA agencies operating welfare assistance for that FY was ~\$93.0 million
- A pro rata distribution was made to ensure that the total distribution of funds remained within the funding level of \$74.7 million enacted by Congress.
- **Result:** This resulted in a pro rata distribution in which each Tribe and BIA agency received 80% percent of its calculated actual need.



# Thinking Ahead



## FY 2016:

- The BIA disbursed the maximum amount of funding for FY 2016.
- The BIA **cannot** supplement the amount for FY 2016 welfare assistance payments in FY 2017 with FY 2017 funds.
  - The BIA cannot back pay Tribes for the shortfall of 20% from FY 2016
  - Go back to Original Language of Estimated Need – the BIA does not conduct a SHORTFALL adjustment in calculating 2017 Estimated Need because of the Statutory CAP
- Under the current CR, the BIA is only authorized to use FY 2017 funds to make FY 2107 welfare assistance payments.

## For FY 2017

- If a Pro rata distribution results in a large reduction as it did in 2016 – Tribes and Agencies need to start planning now for a potential shortfall in funding.

# Options for a 2017 Shortfall



## Options to think about & consider

- Monitor your funding
- Internally prioritize the funding based on the needs of your community
- Document this in policy or written protocol
- Notify clients early – regulations require written notification for terminating services
- Notify the community
- Begin to explore other state, local, federal, or tribal resources & leverage other resources
- Appropriations Language – gives Tribes and Tribal organizations the flexibility to use other TPA funding to offset a shortfall in Welfare Assistance
- Shutdown the Program

# Wrap-Up



Any Questions?